

UNITED STATES DISTRICT COURT

for the
Southern District of Texas

United States of America
v.
Jesus Homero LUNA ALMANZA

Case No. **5:19-mj-464-1**

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 10, 2019 in the county of Webb in the
Southern District of Texas, the defendant(s) violated:

Code Section
8 USC 1324

Offense Description
Did unlawfully transport, attempt to transport, and conspire to transport aliens by means of transportation and otherwise within the Southern District of Texas, knowing or in reckless disregard of the fact that said aliens had come to, entered, or remained in the United States in violation of law, and transported or moved or attempted to transport or move or conspired to transport or move said aliens within the United States by means of transportation or otherwise in furtherance of such violation of law.

This criminal complaint is based on these facts:

Continued on Affidavit

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence,

Date: April 15, 2019

City and state: Laredo, Texas

/S/Victor Mendoza

Complainant's signature

Victor Mendoza, Border Patrol Agent

Printed name and title

Judge's signature

Sam Sheldon, U.S. Magistrate Judge

Printed name and title

CONTINUATION OF CRIMINAL COMPLAINT

AFFIDAVIT

In support of Criminal Complaint

**UNITED STATES OF AMERICA
V.**

CRIMINAL COMPLAINT

Jesus Homero LUNA ALMANZA

Case Number:

1. On April 10, 2019, at approximately 8:40 p.m., the BPA was assigned to the United States Border Patrol Checkpoint, located at the 29 mile marker on IH-35, when a white SUV approached his primary inspection lane. The BPA asked the driver (later identified as Jesus Homero Luna Almanza) if he was a United States Citizen to which he answered, "YES". The BPA asked him if he was traveling alone to which he again replied, "Yes". The BPA began to do a visual inspection of the inside of the truck and saw that he had an uncommon amount of skateboards in the third row of the truck. The BPA inquired for approval to inspect the vehicle and consent was given.
2. As the BPA stood by for the driver to unlock the truck, the BPA noticed that the Canine Handler reached inside the vehicle to secure the keys from the ignition. The BPA asked the Handler what he had revealed, Handler pointed at the skateboards. The Handler said that he could see someone through a small gap under the clutter. The BPA shined his flashlight and looked underneath the skateboards and saw the top of a male subject's head. The BPA asked the driver for identification to which he said that he did not have any. After an immigration inspection, it was revealed that the driver was a citizen of Mexico, illegally present in the United States with no immigration documents. At that moment, the hidden subject and driver were placed under arrest and were accompanied into the checkpoint for further processing.
3. LUNA Almanza was confronted with the previous information and he retracted his U.S. Citizenship claim. LUNA Almanza also conceded to being a citizen and national of Mexico by birth. LUNA Almanza claims that he is from Mexico with no immigration documents that would allow him to legally be or remain in the United States. Furthermore, he freely conceded that he had crossed illegally into the United States by utilizing a raft to get across the Rio Grande River.
4. At the checkpoint, Luna-Almanza was read his Warning as to Rights via service form I-214. LUNA-Almanza stated he understood and waived his rights to counsel. LUNA-Almanza agreed to provide a voluntary statement and the following story was revealed. LUNA-Almanza was hired and was going to get paid \$1,500.00 USD for the illegal he was going to transport.
5. Lucio BARRIOS-Barrios is a Mexican national and was identified as a material witness. BARRIOS-Barrios stated that he was to be smuggled into the United States for \$7,500.00 USD. BARRIOS-Barrios stated they were smuggle across the Rio Grande River by raft. BARRIOS-Barrios stated he was to be smuggled to Minneapolis, Minnesota.
6. BARRIOS-Barrios was presented with a six pack photo lineup and were able to positively identify Jesus Homero LUNA-Almanza as the driver who was attempting to smuggle them in furtherance to the United States.

SUBSCRIBED and SWORN to before me this _____ day of _____.

Signature of Judicial Officer

Signature of Complaint